IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.145 OF 2005

Kotak Mahindra Bank Ltd. ... Petitioner.

vs.

Intellect Data Systems & Software Pvt.Ltd.
And another. ... Respondents.

Mr.B.B.Saraf with K.A.Desai i/b. M/s.Kartikeya & Associates, for Petitioner.

Mr.Y.H.Samual with P.G.Sabnis, for Respondents.

CORAM: D.K.DESHMUKH,J.

DATED: 19th April,2005

P.C.:-

1. By order dated 20th July,2004 passed in Arbitration Petition no.232 of 2004, the respondents have been directed to be appointed as agent of the receiver to be in possession of the property. The

respondents however, have declined to act as an agent of the receiver. Therefore, it is directed that in view of the refusal of the Respondents, the petitioner be appointed as an agent of the receiver to be in possession of the property on usual terms and conditions, except the royalty and security. After taking possession of the property, the petitioner shall be free to move the Arbitrator for further appropriate orders. Petition disposed of.